

CITY COUNCIL
ATLANTA, GEORGIA

05-0-1105

AN ORDINANCE BY *Caesar Mitchell and Debi Starnes*
AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE II, DIVISION 5, SECTION 10-209(E) and (F) OF THE CITY OF ATLANTA CODE OF ORDINANCES TO EXPAND THE TIME FOR THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION WITHIN SPECIAL ENTERTAINMENT DISTRICTS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in regulating the sale of alcoholic beverages within its city limits; and

WHEREAS, the City of Atlanta currently has in place certain regulations which allow for the sale of alcoholic beverages for on-premises consumption within special entertainment districts; and


WHEREAS, the City of Atlanta currently allows the sale of alcoholic beverages for on-premises consumption within special entertainment districts on Monday through Friday between the hours of 9:00 a.m. of one day and 4:00 a.m. of the following day; and

WHEREAS, the City of Atlanta currently allows the sale of alcoholic beverages for on-premises consumption within special entertainment districts on Saturdays from 9:00 a.m. to 2:55 a.m. on the following Sunday; and

WHEREAS, the City of Atlanta currently allows the sale of alcoholic beverages for on-premises consumption within special entertainment districts on Sundays between the hours of 12:30 p.m. on Sunday to 12:00 a.m. on the following Monday; and

WHEREAS, Underground Atlanta has been designated a "special entertainment district" pursuant to state law; and

WHEREAS, state law defines a "special entertainment district" as "contiguous properties upon which is located a festival marketplace and entertainment project which is financed in whole or in part by public funds and which contains a minimum of 200,000 square feet of gross leasable space for retail sales and entertainment purposes and which is located in the central business district; provided however, that more than 50 percent of such contiguous properties must be owned or controlled by the city or some other governmental or quasi governmental entity;" and



WHEREAS, the City of Atlanta recognizes that in order for Underground Atlanta to truly be a “festival marketplace and entertainment project”, it is necessary to allow the sale and consumption of alcoholic beverages after 12:00 a.m. on Mondays; and

WHEREAS, Underground Atlanta has been successful in controlling the sale and consumption of alcoholic beverages until 4:00 a.m. on weeknights and until 2:55 a.m. on Saturdays; and

WHEREAS, the general prohibition regarding the sale and consumption of alcoholic beverages after 12:00 a.m. on Mondays has hindered Underground Atlanta’s ability to market itself as a special event facility; and

WHEREAS, the City of Atlanta desires for Underground Atlanta to be an appealing venue for visitors to the downtown area of Atlanta and for potential tenants of Underground Atlanta; and

WHEREAS, Underground Atlanta has provided the City of Atlanta with a security plan which establishes specific locations for security officers and provides controlled access into and out of the Underground Atlanta premises; and

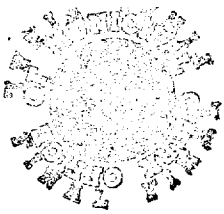
WHEREAS, the City of Atlanta and Underground Atlanta recognize that the security plan for Underground Atlanta must be fluid and capable of flexibility in order that security can be heightened on an as-needed basis depending on the activities scheduled for Underground Atlanta and the number of estimated visitors to Underground Atlanta for any given period of time; and

WHEREAS, the City of Atlanta, in accordance with the Amended and Restated Commercial Facilities Sublease By and Among Downtown Development Authority of The City of Atlanta, Georgia, The City of Atlanta, Georgia, Underground Festival, Inc. and CV Underground, LLC, will provide necessary municipal services, including visible and effective police services in accordance with standard professional practices; and

WHEREAS, the exemptions provided herein will enhance the ability of Underground Atlanta to provide entertainment and to attract a larger number of visitors throughout the year and will have a positive economic impact on Underground Atlanta and the downtown area of the City of Atlanta; and

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That Chapter 10, Article II, Division 5, Section 10-209(e)(2) of the City of Atlanta Code of Ordinances be amended by adding a new sentence to the end of said paragraph which shall read as follows:



Wine ~~and/or~~ malt beverages may also be sold by the drink for on-premises consumption ~~within~~ a special entertainment district on Mondays between the hours of 12:01 a.m. and 4:00 a.m.

Section 2. That Chapter 10, Article II, Division 5, Section 10-209(f)(2) of the City of Atlanta Code of Ordinances be amended by adding a new sentence to the end of said paragraph which shall read as follows:

Distilled spirits may also be sold by the drink for on-premises consumption ~~within~~ a special entertainment district on Mondays between the hours of 12:01 a.m. and 4:00 a.m.

Section 3. Should any ordinance or any part thereof be found to conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

June 20, 2005
June 23, 2005

RCS# 6751
6/20/05
3:36 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 4-21 05-R-1086 05-R-1084
 05-O-0972 05-R-1093 05-O-0906 05-R-0905
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

#19

05-0-1105
(Do Not Write Above This Line)

AN ORDINANCE BY
COUNCILMEMBERS TREASAR
MITCHELL AND DEB STUBBS

TO AMEND CHAPTER 10,
ARTICLE II, DIVISION 5,
SECTION 10-209(E) AND (F) OF
THE CITY OF ATLANTA CODE
OF ORDINANCES TO EXPAND
THE TIME FOR THE SALE OF
ALCOHOLIC BEVERAGES FOR
ON-PREMISES CONSUMPTION
WITHIN SPECIAL
ENTERTAINMENT DISTRICTS;
AND FOR OTHER PURPOSES

JUN 2 0 2005

COUNCIL

SUBSTITUTE

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 6/6/05
Referred To: Public Safety
Date Referred
Referred To:
Date Referred
Referred To:
Date Referred
Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

IN SUBSTITUTION

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

CERTIFIED

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

JUN 2 0 2005

RESOLUTION
JUN 2 0 2005
Randy Levine
MAYOR'S OFFICE

MAYOR'S ACTION

Randy Levine

		6/20/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 05-O-1075	31. 05-R-1069	55. 05-R-1023
2. 05-O-1076	32. 05-R-1072	56. 05-R-1024
3. 05-O-1078	33. 05-R-0903	57. 05-R-1025
4. 05-O-1101	34. 05-R-1062	58. 05-R-1026
5. 05-O-1102	35. 05-R-1063	59. 05-R-1027
6. 05-O-1103	36. 05-R-1064	60. 05-R-1028
7. 05-O-1089	37. 05-R-1054	61. 05-R-1029
8. 05-O-1099	38. 05-R-1055	62. 05-R-1030
9. 05-O-0904	39. 05-R-1056	63. 05-R-1031
10. 05-O-0910	40. 05-R-1057	64. 05-R-1032
11. 05-O-0911	41. 05-R-1073	65. 05-R-1033
12. 05-O-0912	42. 05-R-1074	66. 05-R-1034
13. 05-O-0916	43. 05-R-1108	67. 05-R-1035
14. 05-O-0968	44. 05-R-1116	68. 05-R-1036
15. 05-O-0976	45. 05-R-1117	69. 05-R-1037
16. 05-O-1080	46. 05-R-0819	70. 05-R-1038
17. 05-O-0981	47. 05-R-1043	71. 05-R-1039
18. 05-O-0982	48. 05-R-1044	72. 05-R-1040
19. 05-O-1085	49. 05-R-1047	73. 05-R-1041
20. 05-O-1104	50. 05-R-1049	74. 05-R-1042
21. 05-O-1105	51. 05-R-1019	
22. 05-O-1106	52. 05-R-1020	
23. 05-O-0960	53. 05-R-1021	
24. 05-O-0961	54. 05-R-1022	
25. 05-R-1060		
26. 05-R-1061		
27. 05-R-1077		
28. 05-R-1098		
29. 05-R-1067		
30. 05-R-1068		